



Reprinted
February 6, 2001

HOUSE BILL No. 1009

DIGEST OF HB 1009 (Updated February 5, 2001 4:24 PM - DI 96)

Citations Affected: IC 9-21.

Synopsis: Passengers in open truck beds. Makes it a Class C infraction to operate a truck while a person less than 12 years of age is in the open bed of the truck. Makes exceptions for parades, certain farm operations, and when all persons less than 12 years of age in the open bed of the truck are secured by safety belts and seated in attached seats in the truck bed. Requires the operator of a truck transporting passengers in the open bed of a truck to have an upright and secured tailgate on the truck, and provides exceptions to this requirement for agricultural activities and if the operator and the passengers in the open bed of the truck are 18 years of age or older.

Effective: July 1, 2001.

**Cook, Kruzan, Ruppel, Ulmer,
Goodin**

January 8, 2001, read first time and referred to Committee on Roads and Transportation.
January 31, 2001, reported — Do Pass.
February 5, 2001, read second time, amended, ordered engrossed.

HB 1009—LS 6119/DI 44+



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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1009

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-21-8-55 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2001]: **Sec. 55. (a) An individual may not operate a truck on a**
4 **public highway while another individual who is less than twelve**
5 **(12) years of age is in the open bed of the truck.**
6 **(b) Subsection (a) does not apply to an individual operating a**
7 **truck:**
8 **(1) in a parade;**
9 **(2) in connection with an agricultural activity; or**
10 **(3) in which all persons less than twelve (12) years of age who**
11 **are in the open bed of the truck are:**
12 **(A) in attached seats; and**
13 **(B) secured by safety belts.**
14 **(c) The operator of a truck transporting passengers in the open**
15 **bed of a truck must have a tailgate on the truck, and the tailgate**
16 **must be in an upright and secured position.**
17 **(d) Subsection (c) does not apply to an individual operating a**

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- 1 **truck:**
2 (1) in connection with an agricultural activity; or
3 (2) if the operator and the passengers in the open bed of a
4 truck are eighteen (18) years of age or older.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1009, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

COOK, Chair

Committee Vote: yeas 12, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1009 be amended to read as follows:

Page 1, line 4, delete "eighteen" and insert "**twelve**".

Page 1, line 5, delete "(18)" and insert "**(12)**".

Page 1, line 10, delete "eighteen (18)" and insert "**twelve (12)**".

(Reference is to HB 1009 as printed February 1, 2001.)

WOLKINS

HOUSE MOTION

Mr. Speaker: I move that House Bill 1009 be amended to read as follows:

Page 1, after line 16 , begin a new paragraph and insert:

"(d) Subsection (c) does not apply to an individual operating a truck:

(1) in connection with an agricultural activity; or

(2) if the operator and the passengers in the open bed of a truck are eighteen (18) years of age or older."

(Reference is to HB 1009 as printed February 1, 2001.)

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